

## Message Text

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43

ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 AID-05

( ISO ) W

----- 114510

R 262220Z JUN 75

FM AMEMBASSY TEGUCIGALPA

TO SECSTATE WASHDC 457

INFO AMEMBASSY GUATEMALA

AMEMBASSY MANAGUA

AMEMBASSY SAN JOSE

AMEMBASSY SAN SALVADOR

USCINCSO

LIMITED OFFICIAL USE TEGUCIGALPA 2747

E.O. 11652: N/A

TAGS: PINT, HO

SUBJECT: CURRENT STATUS OF EX-MINECON ABRAHAM BENNATON

REF: TEGUCIGALPA 2590

1. THE FIRST APPEALS COURT SUSTAINED THE DECISION OF THE FIRST CRIMINAL COURT THAT THERE WAS NOT SUFFICIENT PROOF OF EX-MINECON BENNATON'S GUILT TO SUSTAIN A CHARGE OF FISCAL FRAUD. THE PROCURADOR GENERAL (ATTORNEY GENERAL) SERAPIO HERNANDEZ HAD ASKED THE APPEALS COURT TO REVOKE THE DECISION OF THE FIRST CRIMINAL COURT. BY FINDING FOR BENNATON, THE APPEALS COURT AUTOMATICALLY ALLOWS HIM TO REMAIN AT LIBERTY UNDER BOND.

2. BENNATON'S CASE WILL NOW BE RETURNED TO THE FIRST CRIMINAL COURT WHERE HE WILL BE TRIED FOR USING PUBLIC OFFICE FOR PERSONAL ADVANTAGE (COHECHO) AND FOR OFFENSES AGAINST THE DIGNITY OF THE RELUBLIC (INDIGNIDAD). IF CONVICTED OF EITHER OF BOTH CHARGES, HE COULD LEGALLY PAY LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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A FINE (APPROXIMATELY \$1,000) RATHER THAN SERVE A JAIL SENTENCE.

3. COMMENT: AT THIS POINT, THE ONLY QUESTION IS WHETHER

THERE IS ENOUGH PROOF TO CONVICT BENNATON OF COHECHO AND  
INDIGNIDAD. CERTAINLY BENNATON AND HIS LAWYER WILL DO  
EVERYTHING POSSIBLE TO AVOID SUCH A SENTENCE EVEN IF IT  
ONLY INVOLVES A SMALL AMOUNT OF MONEY. IT IS VERY  
POSSIBLE, GIVEN THE NATURE OF THE LEGAL SYSTEM, THAT  
BENNATON WILL NOT BE CONVICTED OF ANYTHING BECAUSE OF THE  
LACK OF CONCRETE EVIDENCE TO SUSTAIN THE CHARGES.  
SOWASH

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<< END OF DOCUMENT >>

## Message Attributes

**Automatic Decaptioning:** X  
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**Current Classification:** UNCLASSIFIED  
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**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
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**Status:** <DBA CORRECTED> wfs 971106  
**Subject:** n/a  
**TAGS:** PINT, HO, (BENNATON, ABRAHAM)  
**To:** STATE INFO GUATEMALA  
MANAGUA  
SAN JOSE  
SAN SALVADOR  
USCINCSO  
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